

REGENERATION, COMMUNITY AND CULTURE OVERVIEW & SCRUTINY COMMITTEE

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REVIEW OF THE GUIDE TO DEVELOPER CONTRIBUTIONS

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Summary

The Council's Guide to Developer Contributions, a Supplementary Planning Document (SPD), was adopted in April 2008 and revised in November 2012. The Guide sets out the level of developer contributions on 10 dwellings or more.

A report was submitted to Cabinet on 8 April 2014 seeking agreement to undertake a consultation exercise on a revised draft SPD.

This report requests that the Committee considers the revised draft and provides any comments for consideration by Cabinet. The draft has been updated to address issues raised by consultees and the reinstatement of sport/leisure and public realm sections.

1. Budget and Policy Framework

1.1 The Guide to Developer Contributions is a Supplementary Planning Document, which is consistent with the provisions of the Local Development Framework, therefore, this is a matter for Cabinet.

2. Background

2.1 In April 2008 the Guide to Developer Contributions was adopted as a Supplementary Planning Document (SPD). A revised version was adopted in November 2012.

2.2 This guide sets out the levels of Section 106 contributions which a developer should provide when intending to build 10 dwellings or more.

- 2.3 The Guide was to be regularly updated to adjust contributions in line with inflation and to include reference to any new evidence base or legislation.
- 2.4 The draft Guide reflects current requirements, and there is no significant increase in the overall level of contributions. The draft Guide is attached at Appendix 1.
- 2.5 The draft Guide takes account of the National Planning Policy Framework, which was issued by the Government in March 2012.
- 2.6 A consultation exercise was undertaken between 22 April – 30 May 2014. Representations received and to be considered are set out in Appendix 2.
- 2.7 The representations are being considered and the draft will be updated to address issues raised by consultees.

3. Options

- 3.1 If the revised Guide to Developer Contributions is not adopted, developers will not have current information available to them, and will not understand today's requirements.
- 3.2 Consulting on the 2014 draft Guide will provide developers with an appropriate level of awareness and understanding of Medway Council's current Section 106 requirements.

4. Advice and analysis

- 4.1 The Guide to Developer Contributions needs to be regularly reviewed to ensure that contact details, information and evidence bases are appropriate.

5. Risk management

Risk	Description	Action to avoid or mitigate risk
1. developers will not have the appropriate information available to negotiate contributions	to continue to use the current version	to adopt the revised Guide to Developer Contributions
2. planning officers do not have the appropriate information available to negotiate contributions	to continue to use the current version	to adopt the revised Guide to Developer Contributions

6. Consultation

- 6.1 Cabinet approved a consultation exercise on a revised Guide to Developer Contributions on 8 April 2014.
- 6.2 A consultation exercise was undertaken between 22 April – 30 May 2014. Those consulted included elected members, developers, agents, Parish Councils, housing associations and Medway Council services.
- 6.3 Representations received are set out at Appendix 2. These are being reviewed and the draft Guide will be updated, where appropriate, to address issues raised by consultees.

7. Financial and legal implications

- 7.1 The draft Guide to Developer Contributions contains up to date information regarding contacts and evidence for the collection of contributions where appropriate.
- 7.2 If adopted the amended Guide to Developer Contributions will be a supplementary planning document prepared in conformity with 'saved' Medway Local Plan Policies. As an adopted supplementary planning document the Guide will carry considerable weight in the determination of future planning applications.
- 7.3 The level of contributions sought per dwelling in the draft Guide is similar to the amount stated in the current Guide, and therefore will not place additional burden on developers.

8. Recommendations

- 8.1 That the Committee notes the revised Guide 2014 (for consultation), and the representations received. Comments received at this Committee will be reflected in the report to Cabinet to be considered on 15 July 2014.

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Background papers

Guide to Developer Contributions, adopted November 2012
[http://www.medway.gov.uk/pdf/Guide to Developer Contributions Nov 2012.pdf](http://www.medway.gov.uk/pdf/Guide%20to%20Developer%20Contributions%20Nov%202012.pdf)